

PHILLIP A. TALBERT
Acting United States Attorney
KATHERINE E. SCHUH
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMADO ESCOBEDO, JR.,
DOROTEO GONZALES,

Defendants.

CASE NO. 1:21-CR-00222-DAD-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: October 13, 2021
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

STIPULATION

1. By previous order, this matter was set for status on October 13, 2021.
2. By this stipulation, defendants now move to continue the status conference until January 12, 2022, and to exclude time between October 13, 2021, and January 12, 2022, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes investigative reports, laboratory reports, video surveillance, audio surveillance, interview recordings, and criminal history information, totaling several gigabytes of electronic data. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.
 - b) Counsel for defendants desire additional time consult with their clients, review discovery, conduct additional investigation, and to prepare for resolution and/or trial.

1 c) Counsel for defendants believe that failure to grant the above-requested
2 continuance would deny them the reasonable time necessary for effective preparation, taking into
3 account the exercise of due diligence.

4 d) The government does not object to the continuance.

5 e) Based on the above-stated findings, the ends of justice served by continuing the
6 case as requested outweigh the interest of the public and the defendant in a trial within the
7 original date prescribed by the Speedy Trial Act.

8 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
9 et seq., within which trial must commence, the time period of October 13, 2021 to January 12,
10 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
11 T4] because it results from a continuance granted by the Court at defendant's request on the basis
12 of the Court's finding that the ends of justice served by taking such action outweigh the best
13 interest of the public and the defendant in a speedy trial.

14 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
15 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
16 must commence.

17 IT IS SO STIPULATED.

18
19
20 Dated: October 5, 2021

PHILLIP A. TALBERT
Acting United States Attorney

21
22 /s/ KATHERINE E. SCHUH
KATHERINE E. SCHUH
Assistant United States Attorney

23
24
25 Dated: October 5, 2021

/s/ John Meyer
John Meyer
Counsel for Defendant
Amado Escobedo Jr.

1 Dated: October 5, 2021

/s/ Peter Jones

Peter Jones

Counsel for Defendant

Doroteo Gonzales

2
3
4 **ORDER**

5 IT IS SO ORDERED that the status conference is continued from October 13, 2021, to **January**
6 **12, 2022, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe.** Time is excluded pursuant to
7 18 U.S.C. § 3161(h)(7)(A), B(iv).
8

9 IT IS SO ORDERED.
10

11 Dated: **October 5, 2021**

/s/ *Barbara A. McAuliffe*

UNITED STATES MAGISTRATE JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28